

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR SPECIAL COUNCIL WORKSHOP  
OF  
FRIDAY, JANUARY 12, 1990  
AT 10:00 A.M.  
IN THE COUNCIL COMMITTEE ROOM - 12TH FLOOR

NOTICE OF SPECIAL WORKSHOP OF THE CITY COUNCIL  
To Council Members Wolfsheimer, Roberts, Hartley, Pratt,  
Bernhardt, Henderson, McCarty, and Filner, members of the City  
Council of the City of San Diego, California:  
A SPECIAL WORKSHOP of the City Council is hereby called to be  
held in the Council Committee Room, 12th floor City  
Administration Building, 202 C St., San Diego, California, on  
Friday, January 12, 1990 at the hour of 10:00 a.m.  
Said meeting has been called for the purpose of considering the  
recommendations of the Charter Review Commission, Campaign Reform  
proposals, and other ballot propositions.  
Dated January 10, 1990. MAUREEN O'CONNOR, MAYOR  
CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:15 a.m.  
Mayor O'Connor adjourned the meeting at 12:30 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
  
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present

(8) Council Member Filner-present  
Clerk-Abdelnour (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-701:

The matter of City Charter Review, other ballot propositions and Ethics Reform.

Subitem-A: APPROVED AS AMENDED

San Diego City Charter Review Commission  
Recommendations.

Other City Charter Recommendations

Subitem-B: CONTINUED TO JANUARY 18, 1990 AT  
10:00 A.M.

Other Ballot Propositions

Subitem-C: CONTINUED TO JANUARY 18, 1990, AT  
10:00 A.M.

City Clerk's Report on issues relating to campaign  
financing, disclosure and the City's elections process.  
Ethics Reform

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A015-D084.)

MOTION BY ROBERTS TO APPROVE ITEM "A" OF THE CHARTER REVIEW  
COMMISSION RECOMMENDATIONS, WHICH ADDS MAYORAL VETO TO  
SECTION 24 (MAYOR) FOR ALL ACTIONS OF THE COUNCIL SUBJECT TO

A COUNCIL OVERRIDE BY TWO-THIRDS VOTE OF ITS MEMBERS; AND AMENDS SECTION 25 (DEPUTY MAYOR) TO PROVIDE THAT THE DEPUTY MAYOR SHALL NOT HAVE POWER TO VETO COUNCIL ACTION, UNLESS AND UNTIL APPOINTED TO FILL A VACANCY IN THE OFFICE OF MAYOR.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

MOTION BY HENDERSON TO APPROVE ITEM "C" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS, AS AMENDED, WHICH CREATES A NEW SECTION 41 (d) (REDISTRICTING COMMISSION) APPOINTED BY THE MAYOR AND COUNCIL, TO REDRAW COUNCIL DISTRICTS AND EFFECTS THAT REDISTRICTING BY FILING A MAP WITH THE CITY CLERK.

AMEND IT TO PROVIDE THAT THE MAYOR AND EACH COUNCIL MEMBER APPOINT ONE PERSON TO THE PROPOSED REDISTRICTING COMMISSION.

Second by Filner. Passed by the following vote:

Wolfsheimer-nay, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY HARTLEY THAT VACANCIES BE FILLED BY ELECTION PROCESS, WITHOUT APPOINTMENT, WITH RUNOFF. Second by Filner.

No vote.

MOTION BY HARTLEY TO REFER ITEM "D" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS TO THE CITY ATTORNEY TO ADVISE THE COUNCIL ON HOW TO GO ABOUT FILLING COUNCIL VACANCIES BY AN ELECTION PROCESS, WITHOUT APPOINTMENT, WITH A RUNOFF. BRING THE ITEM BACK TO COUNCIL ON FEBRUARY 5, 1990. Second by

Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea

MOTION BY HENDERSON TO NOT ACCEPT ITEM "E" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS, WHICH AMENDS SECTION 4 (DISTRICTS ESTABLISHED) AND SECTION 12 (THE COUNCIL) TO PROVIDE FOR THE ELECTION OF MAYOR AND CITY ATTORNEY IN ODD-NUMBERED YEARS, AT THE SAME TIME AS COUNCIL DISTRICT ELECTIONS, COMMENCING IN 1995 FOR THE CITY ATTORNEY AND 1997 FOR THE MAYOR. DELETE THIS ITEM FROM THOSE REFERRED TO THE CITY ATTORNEY FOR THE BALLOT. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY FILNER TO APPROVE ITEM "F" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS, WHICH ADDS A NEW SECTION 221 (SALE OF REAL PROPERTY) REQUIRING VOTER APPROVAL OF THE SALE

OR EXCHANGE OF 80 ACRES OR MORE OF CONTIGUOUS CITY-OWNED LAND. Second by Hartley. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO REFER ITEM "G" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS TO THE CITY ATTORNEY AND BRING BACK TO COUNCIL ON FEBRUARY 5, 1990. THIS ITEM AMENDS SECTION 55 (PARK AND RECREATION) 55.1 (MISSION BAY PARK - RESTRICTION UPON COMMERCIAL DEVELOPMENT) TO REQUIRE MASTER PLANS FOR RESOURCE-BASED PARKS AND IMPOSES A 120 DAY REFERENDUM PERIOD ON CITY ACTIONS PROPOSING THE CONSTRUCTION OF ANY PERMANENT STRUCTURE IN EXCESS OF 5,000 SQUARE FEET IN RESOURCE-BASED PARKS AND THE PLACEMENT OF STREETS AND ROADS THROUGH PARK LANDS. ADDS OPEN SPACE TO THE LIST OF REAL PROPERTY UNDER THE CITY MANAGER'S CONTROL AND MANAGEMENT. DELETES THE PHASE "OR LATER RATIFIED." Second by Hartley.

Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO APPROVE ITEM "H" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS, WHICH ADDS A NEW SECTION 100.1 (PARTICIPATION OF MINORITY AND WOMEN BUSINESS ENTERPRISES) TO CREATE OPPORTUNITY FOR COUNCIL TO ADOPT A MINORITY AND WOMEN BUSINESS ENTERPRISE PLAN BY ORDINANCE. Second by Hartley.

Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO APPROVE ITEM "I" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS, WHICH AMENDS SECTION 92

(BORROWING MONEY ON SHORT TERM NOTES) TO STRENGTHEN THE CITY'S MARKET POSITION REGARDING SHORT TERM BORROWING BY THE CITY TREASURER. Second by Pratt. Passed by the following

vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO APPROVE ITEM "J" OF THE CHARTER REVIEW COMMISSION RECOMMENDATIONS, WHICH AMENDS SECTION 143.1 (APPROVAL OF AMENDMENTS BY MEMBERS) TO PROVIDE THAT RETIRED CITY EMPLOYEES SHALL VOTE ON BENEFITS THAT AFFECT THEIR RETIREMENT. Second by Pratt. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO APPROVE ITEM "K", WHICH AMENDS SECTION 4 (DISTRICTS ESTABLISHED) AND SECTION 5 (REDISTRICTING) TO STRIKE THE TERMS "REGISTERED VOTER," "QUALIFIED VOTERS," AND "REGISTERED VOTING" AND REPLACES THEM WITH THE TERM "POPULATION."; ITEM "L", WHICH AMENDS SECTION 141 (CITY EMPLOYEES' RETIREMENT SYSTEM) TO REMOVE THE REQUIREMENT FOR MANDATORY RETIREMENT AT AGE 65; AND ITEM "M", WHICH STRIKES GENDER-SPECIFIC WORDS SUCH AS "HE" THAT ARE THROUGHOUT THE CHARTER AND REPLACES THEM WITH NON-SEXIST TERMS. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HARTLEY TO APPROVE THE RECOMMENDATION FOR A TWO-TERM LIMIT FOR MAYOR AND COUNCIL MEMBERS TO BE PLACED ON THE BALLOT. Second by Roberts. Failed due to a lack of 5 affirmative votes as follows: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

MOTION BY PRATT TO SEND THE MAYOR AND COUNCIL SALARIES ISSUE BACK TO THE PEOPLE FOR A VOTE. Second by Bernhardt. Failed by the following vote: Wolfsheimer-not present, Roberts-nay, Hartley-nay, Pratt-nay, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

MOTION BY FILNER TO CONTINUE THE ADDITIONAL CHARTER RECOMMENDATIONS FROM THE MAYOR AND THE MEMORANDA FROM COUNCIL MEMBERS BERNHARDT AND McCARTY TO THE SPECIAL WORKSHOP OF JANUARY 18, 1990. Second by Hartley. No vote. Approved by common consent.

MOTION BY ROBERTS TO DIRECT THE CITY ATTORNEY TO PREPARE, WITHOUT EXCEPTION, THE APPROPRIATE LANGUAGE TO PUT THOSE CHARTER REVIEW AMENDMENTS AS RECOMMENDED BY THE CHARTER REVIEW COMMISSION ON THE UPCOMING BALLOT AND BRING BACK TO COUNCIL ON FEBRUARY 5, 1990. Second by Wolfsheimer. No vote. Approved by common consent.

FILE LOCATION: MEET

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 12:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D085-088).